

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 836 – SB 806

April 6, 2015

**SUMMARY OF ORIGINAL BILL:** Places local education agency (LEA) staff employed in positions for which no teaching license is required under the same termination process as non-tenured licensed employees. This process, set forth in Tenn. Code Ann. § 49-2-301, grants staff written notice of termination in writing; the opportunity for a hearing before an impartial hearing officer; and the right to an appeal of such decision to the local board of education and chancery court.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

**SUMMARY OF AMENDMENT (004957):** Deletes all language of the original bill. Requires all local education agency (LEA) employees who are employed in a position for which no teaching license is required to be hired at the will of the director of schools. Requires each local board of education to develop a policy relative to the termination of such employees, which shall include a pre-termination hearing with the director of schools' or the director's designee.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- The pre-termination hearing will be a less formal process than the one for employees in positions for which a teaching license is required.
- Any hearings that are held for LEA employees in positions for which no teaching license is required will be done in the normal course of business by existing LEA staff.
- Each local board of education will develop a policy for the termination of such employees in the normal course of local board of education meetings.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in cursive script, reading "Jeffry A. Spalding".

HB 836 – SB 806

Jeffrey L. Spalding, Executive Director

/msg